

New York State Environmental Facilities Corporation

Meeting of the Board of Directors

Thursday, January 12, 2023

Minutes

(Approved at the February 9, 2023 meeting of the Board of Directors)

A meeting of the Board of Directors was held on January 12, 2023, in the Board Room of the Corporation's office located at 625 Broadway, Albany, New York and by videoconference, in accordance with the Corporation's Bylaws and the Open Meetings Law, at 340 South Bedford Road, Bedford Corners, New York; 360 Erie Boulevard East, Syracuse, New York; and 169 Hudson Street, New York, New York. A quorum was present as indicated:

Ex Officio Members and their Designees:

Jeffrey Stefanko, Chair Designee for the Commissioner of Environmental Conservation
James Leary, Designee for the Secretary of State

Independent Members:

Francis T. Corcoran (*via video*)
Vita DeMarchi (*via video*)
Charles Kruzansky
Adam Zurofsky (*via video*)

Absent:

Christine A Westerman, Designee for the Commissioner of Health

EFC Staff:

Maureen A. Coleman, President and CEO
Michael P. Hale, Executive Vice President
Henrik Westin, General Counsel
Kate S. Howard, Secretary to the Corporation and Associate Counsel
William Brizzell, Director of Engineering
Brian McClintock, Director of Public Finance
Maureen McGrath, Director of Administration & Corporate Operations
Albert Schnide, Controller
Derek Sellman, Deputy General Counsel
Rebecca Walker, Senior Finance Manager
Michael Roizman, Senior System Administrator
Bernadette Futia, Information Technology Coordinator III
Adnan Mirza, Systems Administrator
Máire Cunningham, Program Manager
Kristina Lee, Program Coordinator

Other Attendees:

David Phillips, P.E., Chief, Design Section, Bureau of Water Supply and Protection, NYSDOH

1. Roll call and declaration of quorum

The meeting was called to order by the Chair at 11:36 a.m. Roll call was taken and a quorum was declared present.

2. Approval of the December 8, 2022 Draft Board Meeting Minutes

Upon motion by Director DeMarchi and seconded by Director Zurofsky, the minutes from the December 8, 2022, meeting of the Board were unanimously approved by the voting Directors. Director Kruzansky abstained from the vote as he was not present at the December meeting.

3. Report of the Chair- The Chair had nothing to report.

4. President's Report

- President Coleman informed the Board that representatives from DEC and EFC are attending an event in the City of Newburgh today announcing the beginning of the micro tunneling on the City's sewer project which was approved by the Board in November. This project is among the first to receive funding from the Bipartisan Infrastructure Law. The Board had approved the funding at its November meeting.
- President Coleman also advised that the Corporation had completed the Clean Watersheds Needs Survey; however, based on requests from many states, the EPA granted states an additional two months to complete the Survey. Therefore, the Corporation will keep the survey open for an additional 2 months.
- Finally, President Coleman reminded the Independent Directors that their mandatory ethics training would occur after the Board meeting.

5. Committee Report- No committees met this month.

6. Unfinished Business

There was no unfinished business discussed.

7. Resolutions

Resolution No. 2950

Following its introduction by the Secretary, Director Corcoran moved for adoption of the resolution and the motion was seconded by Director Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

Resolution No. 2951

Following its introduction by the Secretary, Director Kruzansky moved for adoption of the resolution and the motion was seconded by Director Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING THE PRIOR AUTHORIZATIONS FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND

Resolution No. 2952

Following its introduction by the Secretary, Director Corcoran moved for adoption of the resolution and the motion was seconded by Director Leary. Discussion ensued regarding the resolution, which would authorize amendment to the scope of the up to \$657,949,860 financing ("Financing") authorized to New York City Municipal Water Finance Authority ("NYCMWFA") to add additional projects. Director Kruzansky raised environmental and fiscal concerns about the Jamaica Water Pollution Control Plant Emergency Generator Project because the proposed generators may not serve for their full useful life and are fueled by diesel, which contributes to climate change. Directors Zurofsky and DeMarchi also expressed a desire to see less polluting alternatives, if feasible. President Coleman advised that EFC understands its responsibility under the Climate Leadership and Community Protection Act, to consider the impact of its actions on climate change. Mr. Brizzell advised that NYCMWFA and the New York City Department of Environmental Protection had reviewed and considered alternative options before finding that the proposed project was necessary and appropriate. Director Corcoran stated that he too would like to see environmental alternatives to diesel-powered generators in the future but that NYC needs to ensure it has safe, reliable, and functional wastewater systems in the case of a power failure. Chair Stefanko advised that the Commissioner of Environmental Conservation fully supports adoption of the resolution and views it as a necessity. Chair Stefanko further advised he would be happy to facilitate climate and resiliency discussions with the Board. The Board agreed that it is important to continue discussions about EFC's role in furthering the State's climate action goals. A vote was called. Directors Stefanko, Leary, Corcoran and DeMarchi voted to adopt the resolution. Directors Kruzansky and Zurofsky voted against adopting the resolution. With a majority vote in favor of adoption, the following resolution was adopted and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND REAUTHORIZING UP TO \$657,949,860 IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND TO INCLUDE ADDITIONAL PROJECTS (NEW YORK CITY MUNICIPAL WATER FINANCE AUTHORITY PROJECTS)

Resolution No. 2953

Following its introduction by the Secretary, Director DeMarchi moved for adoption of the resolution and the motion was seconded by Director Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE CLEAN WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

Resolution No. 2954

Following its introduction by the Secretary, Director Kruzansky moved for adoption of the resolution and the motion was seconded by Director DeMarchi. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION SELECTING CERTAIN FIRMS AS UNDERWRITERS, INVESTMENT COUNTERPARTIES, AND/OR SELLING GROUP MEMBERS TO THE CORPORATION AND AUTHORIZING THE PRESIDENT OF THE CORPORATION OR THE PRESIDENT'S DESIGNEE TO TAKE APPROPRIATE ACTIONS WITH RESPECT THERETO

8. New Business - No new business to report.

9. Adjournment

Upon a motion made by Director Leary and seconded by Director Corcoran the meeting adjourned at 12:29 p.m.

BY: _____/s/
Kate Siobhan Howard
SECRETARY TO THE CORPORATION